

## **Part 6**

### **General Duties and Prohibitions**

#### **17-18a-601 Assistance to the attorney general.**

- (1)
- (a) The attorney shall appear and assist the attorney general in criminal and civil legal matters involving the state if:
    - (i) except as provided in Subsection (1)(b), the attorney general requests assistance; or
    - (ii) the attorney is required by law to provide assistance.
  - (b) The attorney is not required to provide, if requested, the attorney general assistance if the attorney's assistance would:
    - (i) interfere with the attorney's duties and responsibilities to the county; or
    - (ii) create a conflict of interest.
  - (c) The attorney shall cooperate with the attorney general in an investigation, including an investigation described in Section 67-5-18.
- (2) The attorney general shall assist the attorney with a criminal prosecution if a court:
- (a) finds that the attorney is unable to satisfactorily and adequately perform the duties of prosecuting a criminal case; and
  - (b) recommends that the attorney seek additional legal assistance.

Enacted by Chapter 237, 2013 General Session

#### **17-18a-602 Deputy attorneys.**

- (1) The attorney may employ a deputy attorney to perform the duties of public prosecutor or civil counsel.
- (2)
- (a) Subject to the approval of the county attorney, the district attorney may cross deputize a county deputy attorney as a deputy district attorney.
  - (b) Subject to the approval of the district attorney, the county attorney may cross deputize a deputy district attorney as a deputy county attorney.
- (3) The county attorney may specially deputize, for a limited time or limited purpose, an attorney licensed to practice law in the state and in good standing with the Utah State Bar as a deputy to assist in any public prosecutor or civil counsel duties specified in the special deputization.

Enacted by Chapter 237, 2013 General Session

#### **17-18a-603 Legislative functions.**

The attorney:

- (1) may review a state statute;
- (2) shall review each county ordinance;
- (3) shall call to the attention of the state Legislature or the county legislative body any defect in the operation of the law; and
- (4) shall suggest and assist in presenting an amendment to correct the defect.

Enacted by Chapter 237, 2013 General Session

#### **17-18a-604 Other duties.**

The attorney shall perform each duty and responsibility of public prosecutor and civil counsel as provided by statute or ordinance.

Enacted by Chapter 237, 2013 General Session

**17-18a-605 Prohibited acts.**

- (1) Within the state, the attorney may not consult with or otherwise represent a person charged with a crime, misdemeanor, or breach of a criminal statute or ordinance.
- (2) A public prosecutor may not prosecute or dismiss in the name of the state a case in which the public prosecutor has previously acted as legal counsel for the accused.
- (3) A public prosecutor may not after the filing of an indictment or information and without the consent of the court:
  - (a) compromise a prosecution; or
  - (b) enter a plea of nolle prosequi.

Enacted by Chapter 237, 2013 General Session